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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/813,200	03/07/1997	MITSUHIRO HIRANO	2342-0107P	3165
2292	7590	01/02/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			RAO, SHRINIVAS H	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

08/813,200

Applicant(s)

HIRANO, MITSUHIRO

Examiner

Steven H. Rao

Art Unit

2814

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** (check either a) or b))

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - b) ☐ they raise the issue of new matter (see Note below);
  - c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 10, 11, 16 and 18.

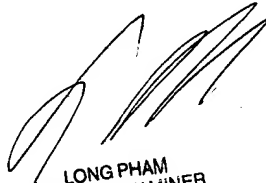
Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_.

Continuation of 2. NOTE: Applicants' contend that the phrase "newly added" appears in the Final rejection mailed 4/10/2003. The Examiner could not find the phrase "newly added" after thorough review of the Final rejection, therefore Applicants' contention appears clearly incorrect and Applicants' may want to review their reply for accuracy.

Applicants' first argument that Shirawa does not teach a local exhaust has been dealt with at length (under "previously stated" in Final rejection mailed 4/10/2003 page 2) e.g. rejection mailed on 8/13/01 pages 4-5 wherein it was pointed out that Shirawa figures show elements 32, 32b, 32c and 32 d wherein element 32 b is a local exhaust.

Applicants' contention that Shirawa teachings regarding element 32 b should be limited to non-local exhausts because element 32 b is used only when the cassette chamber r 61 is exhausted is wrong. Shirawa in col. 5 lines 49-66 describes that element 32 b along with other elements is used when creating a vacuum in the cassette chamber, closed when nitrogen gas is being filled, etc. therefore Applicants limited interpretation of Tarawa's teachings is not persuasive. Applicants' contention under "second rejection" is not consummate in scope with the presently recited claim 16 because claim 16 does not recite a third vacuum exhaust line. Shirawa describes the presently recited elements of claims 16 including the alleged "The first vacuum exhaust line is connected with the load lock chamber and a second vacuum exhaust line is connected the substrate processing chamber and the first vacuum exhaust line," and "the position of the second valve" (see rejection mailed 11/22/2000 pages 5-9. Shirawa as stated therein shows in figure 11 col. 2 and col. 7 describes flange 26 as sealing lid for sealing, which covers the dust generating portion of the moving mechanisms when 22 moves the entire boat up and down. Shirawa in figure 11 # 20 is the partition plate between two regions of load lock chambers 8 and a slit ( col. 2 lines 10-15).



LONG PHAM  
PRIMARY EXAMINER